



U.S. Department of Justice

*United States Attorney  
Eastern District of New York*

NB:JJD  
F.#2010R00014

*United States Attorney's Office  
610 Federal Plaza  
Central Islip, New York 11722-4454*

September 15, 2010

By Hand

The Honorable Joseph F. Bianco  
United States District Judge  
United States District Court  
Eastern District of New York  
920 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Prado et al.  
Criminal Docket No. 10-074 (S-2) (JFB)

Dear Judge Bianco:

On September 1, 2010, the government requested that the Court issue a protective order regarding materials provided, pursuant to Rule 16 of the Federal Rules of Criminal Procedure ("Rule 16"), in connection with the above-referenced matter. On September 2, 2010, the Court directed counsel for the defendants to file any opposition to the government's motion for a protective order by September 9, 2010. The only objection to the government's proposed order was filed by Jeffrey Pittell, Esq., counsel for the defendant Jimmy Sosa.

Subsequently, the government conferred with Mr. Pittell and the parties drafted a mutually agreeable protective order, a copy of which is attached hereto. Accordingly, for the reasons set forth in its September 1, 2010 letter, the government

respectfully requests that the Court sign the attached, revised Rule 16 protective order.

Respectfully submitted,

LORETTA E. LYNCH  
United States Attorney

By: 

John J. Durham  
Assistant United States Attorney  
(631) 715-7851

Attachment

cc: All Counsel of Record (By ECF)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

O R D E R

- against -

Cr. No. 10-CR-074 (S-2) (JFB)

PRADO et al.,

Defendants.

- - - - - X

Upon the application of LORETTA E. LYNCH, United States Attorney for the Eastern District of New York, by Assistant United States Attorney JOHN J. DURHAM, it is hereby:

**ORDERED** that counsel for the defendants, or anyone acting under the direction of defense counsel, may not reproduce, distribute or otherwise disseminate the materials provided pursuant to Rule 16 of the Federal Rules of Criminal Procedure in connection with the above-referenced matter that disclose the identity of confidential informants or cooperating defendants (the "Rule 16 Materials"), including without limitation audio and video recordings. When disclosed by the government to defense counsel, the Rule 16 Materials, which are subject to this Order, will be marked or noted as "Subject to Protective Order";

**ORDERED** that the defendants not be permitted to bring the Rule 16 materials, or copies thereof, back to the institutions where they are incarcerated, except the defendants may review the Rule 16 Materials provided to those institutions

by the government, at the direction of the Court, in the areas designated by the institutions, but in no event shall the defendants be permitted to remove the Rule 16 Materials from the designated areas or retain copies of those materials; and

**ORDERED** that nothing in this Order shall prohibit: (a) defense counsel from reproducing and sharing the Rule 16 Materials with others acting under the direction of defense counsel; or (b) defense counsel, or others acting under the direction of defense counsel, from displaying or discussing the content of such Rule 16 Materials with other persons; provided however, that the restrictions set forth in this Order shall apply to those individuals acting under the direction of defense counsel.

Dated: Central Islip, New York  
September \_\_\_\_\_, 2010

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THE HONORABLE JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK